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9 MICROSOFT CORPORATION  
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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 (SAN JOSE DIVISION)

14 FERESHTE FAUSTINI,

15 Plaintiff,

16 vs.

17 MICROSOFT CORPORATION,

18 Defendant.

Case No. C 04-04548 JW

**STIPULATION FOR DISMISSAL  
WITH PREJUDICE AND  
[PROPOSED] ORDER THEREON**

*[Fed. R. Civ. P. 41(a)]*

19 WHEREAS Plaintiff Fereshte Faustini ("Plaintiff") and Defendant Microsoft Corporation  
20 ("Microsoft") have settled the above-captioned matter;

21 **IT IS HEREBY STIPULATED** by and between Plaintiff, through her attorneys, and  
22 Defendant, through its attorneys, that the Complaint filed by Plaintiff against Microsoft Corporation  
23 shall be dismissed with prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure,  
24 with each party to bear its own costs and attorneys' fees.

25 This Court shall retain jurisdiction to enforce the Settlement Agreement between Plaintiff  
26 and Microsoft.  
27  
28

1 **IT IS SO STIPULATED.**

2 LAW OFFICES OF ROBERT M. LUBIN

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4 Dated: 11/29/06

5 By: Robert M. Lubin  
6 Robert M. Lubin  
7 Counsel for Plaintiff Fereshte Faustini

8 ~~KIRKPATRICK & LOCKHART~~  
9 PRESTON GATES & ELLIS LLP

10 Dated: 11/31/07

11 By: Kathleen O. Peterson  
12 Kathleen O. Peterson  
13 Counsel for Defendant Microsoft Corporation

14 **ORDER**

15 Good Cause appearing therefore, **IT IS ORDERED THAT:**

16 The complaint filed by Plaintiff against Microsoft Corporation is dismissed with prejudice  
17 pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, with each party to bear its own costs  
18 and attorneys' fees.

19 This Court shall retain jurisdiction to enforce the Settlement Agreement between Plaintiff  
20 and Microsoft.

21 Dated: \_\_\_\_\_

22 Honorable James Ware  
23 UNITED STATES DISTRICT COURT JUDGE

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